



# COUNTY OF LOS ANGELES

## DEPARTMENT OF PUBLIC WORKS

*"To Enrich Lives Through Effective and Caring Service"*

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GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

November 13, 2012

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

# ADOPTED

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

27 November 13, 2012

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

### **AMENDMENT 3 TO CONTRACT NO. 76402 FOR ANTELOPE VALLEY LANDSCAPE MAINTENANCE SERVICES (SUPERVISORIAL DISTRICT 5) (3 VOTES)**

#### **SUBJECT**

This action is to amend the contract with Santiago Gonzalez, d.b.a. Alma Gardening Company, for Antelope Valley Landscape Maintenance Services to extend the contract on a month-to-month basis for up to a six-month period until a replacement contract is awarded.

#### **IT IS RECOMMENDED THAT THE BOARD:**

1. Find that the work continues to be categorically exempt from the provisions of the California Environmental Quality Act.
2. Find that these services continue to be more economically performed by an independent contractor than by County of Los Angeles employees.
3. Approve Amendment 3 to Contract No. 76402 with Santiago Gonzalez, d.b.a. Alma Gardening Company, for Antelope Valley Landscape Maintenance Services to extend the contract on a month-to-month basis for up to six months starting December 16, 2012, at an amount of \$21,901 until a replacement contract is awarded.
4. Authorize the Director of Public Works or her designee to increase the contract amount up to an additional 10 percent of the contract sum for unforeseen, additional work within the scope of the contract, if required.

5. Authorize the Director of Public Works or her designee to execute the amendment upon proper execution by the contractor and approval as to form by County Counsel.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended action is to extend these services on a month-to-month basis starting December 16, 2012, for up to six months while the Department of Public Works (Public Works) completes the solicitation process for a replacement contract. The preparation of solicitations began several months ago, but the need for extensive changes in the scope of work and solicitation documents require the extension. When proposals have been received and evaluated, Public Works will recommend award of a contract for continued provision of these services.

### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1), Fiscal Sustainability (Goal 2), and Integrated Services Delivery (Goal 3). The contractor who has the specialized expertise to provide these services accurately, efficiently, timely, and in a responsive and cost-effective manner will support Public Works in meeting these goals.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The requested amount is \$21,901 for the six-month period plus an additional 10 percent of the contract sum for unforeseen, additional work within the scope of the contract, if required. This amount is based on a monthly amount of \$3,650. Funding for these services is included in various Public Works Fiscal Year 2012-13 Fund Budgets.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

On December 4, 2007, Agenda Item 36, the Board approved Contract No. 76402 with Santiago Gonzalez, d.b.a. Alma Gardening Company, located in Acton, California, for landscape maintenance services in the Antelope Valley area, authorizing annual contract expenditures of \$43,215. The contract was for an initial one-year period that commenced on December 16, 2007, with two 1-year renewal options for a maximum potential contract term of three years.

On May 18, 2010, Agenda Item 35, the Board approved a 10 percent unit cost reduction with a two-year extension with this contractor. The cost reduction was retroactive to October 1, 2009, pursuant to the Chief Executive Office recommendation of February 1, 2010. Amendment 1 to this contract was executed on July 21, 2010, reducing the annual contract amount from \$43,215 to \$38,894.50 retroactive to October 1, 2009. The contract was extended for a period of two years starting December 16, 2010, through and including December 15, 2012.

On March 15, 2012, Agenda Item 33, the Board approved Amendment 2 to Contract No. 76402 to expand the service areas for landscape maintenance services in the Antelope Valley to include the newly constructed roundabout on Hasley Canyon Road. It increased the annual contract amount from \$38,893.50 to \$42,370, an increase of \$3,476.50 prorated for the current contract year, and increased the annual contract amount to \$43,801.50 for the remaining subsequent contract year.

Amendment 3 will extend the contract on a month-to-month basis for up to six months starting

December 16, 2012, at an amount of \$21,901 until a replacement contract is awarded for a potential maximum contract sum of \$233,396 and a maximum contract term of 66 months.

The amendment, which is substantially reflected in the enclosed form, will continue the contract's current terms, specifications, and conditions. The Director of Public Works or her designee will execute the amendment in accordance with the Board's authorization and only upon proper execution by the contractor and approval as to form by County Counsel.

The contractor has agreed to pay its full-time employees the current Living Wage Rate approved by the Board on February 6, 2007, and to comply with the County's Living Wage reporting requirements. The County's Proposition A and Living Wage Ordinance (LWO) provisions apply to the contract, as County employees can perform these contracted services. This contract complies with all of the requirements of the Los Angeles County Code, Section 2.201. The contractor will continue to pay its full-time employees the required minimum rates of \$11.84 per hour without health benefits, or \$9.64 per hour with health benefits of \$2.20 per hour, as specified in the LWO adopted by the Board and will comply with the County's Living Wage reporting requirements.

Using methodology approved by the Auditor-Controller, the Proposition A cost analysis indicates that the recommended contracted services continue to be performed more economically by the private sector.

#### **ENVIRONMENTAL DOCUMENTATION**

These services continue to be categorically exempt from the provisions of the California Environmental Quality Act (CEQA). These services are within a class of projects that has been determined not to have a significant effect on the environment in that they meet the criteria set forth in Section 15301(h) of CEQA.

#### **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the amendment will continue the current contract services.

#### **CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Administrative Services Division.

The Honorable Board of Supervisors

11/13/2012

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Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:GZ:cg

Enclosures

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department, Contracts Division  
(w/o enc.)

AMENDMENT 3 TO CONTRACT NO. 76402

ANTELOPE VALLEY LANDSCAPE MAINTENANCE SERVICES

THIS AMENDMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between the COUNTY OF LOS ANGELES, a subdivision of the State of California, a body corporate and politic (hereinafter referred to as COUNTY) and SANTIAGO GONZALEZ, DBA ALMA GARDENING COMPANY, a sole proprietorship (hereinafter referred to as CONTRACTOR).

WITNESSETH

WHEREAS, Contract No. 76402 was entered into between the COUNTY and the CONTRACTOR, on December 4, 2007, to provide landscape maintenance services for the Antelope Valley area commencing on December 16, 2007, for a period of one year with two 1-year renewal options; and

WHEREAS, the COUNTY, in accordance with the motion passed by the Board of Supervisors on June 16, 2009, negotiated with the CONTRACTOR to accept a cost reduction without any reduction in the goods and services provided to the COUNTY in exchange for a contract term extension; and

WHEREAS, on July 21, 2010, Amendment 1 to this Contract was executed by the Director of Public Works and the CONTRACTOR to accept a cost reduction of 10 percent without any reduction in the goods and services provided to the COUNTY in exchange for a two-year Contract term extension starting December 16, 2010, through and including December 15, 2012; and

WHEREAS, on March 28, 2011, Amendment 2 to this Contract was executed by the Director of Public Works and the CONTRACTOR to expand this Contract to include landscape maintenance services to the newly constructed roundabout on Hasley Canyon Road; and

WHEREAS, the COUNTY has exercised both renewal options; and

WHEREAS, the parties desire to extend the contract on a month-to-month basis for up to six months at an amount not to exceed \$21,901 while the solicitation process for a new contract for this service is completed; and

WHEREAS, the CONTRACTOR is willing to provide these services under the Contract's existing terms and conditions as amended by this AMENDMENT.

NOW, THEREFORE, in consideration of these facts and payment to be made by the COUNTY, the COUNTY and the CONTRACTOR agree that Contract No. 76402 between them shall be amended as follows:

SECOND: This Contract's amount for the maximum six-month period for landscape maintenance services is \$21,901 (\$3,650 monthly), or such greater sum as the Board may approve.

[illegible]

IN WITNESS WHEREOF, the COUNTY has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Public Works, and the CONTRACTOR has subscribed its name by and through its duly authorized officers, as of the day, month, and year first written above.

COUNTY OF LOS ANGELES

By \_\_\_\_\_  
Director of Public Works

APPROVED AS TO FORM:

JOHN F. KRATTLI  
County Counsel

By \_\_\_\_\_  
Deputy

SANTIAGO GONZALEZ,  
DBA ALMA GARDENING COMPANY

By \_\_\_\_\_  
Its Managing Member

\_\_\_\_\_  
Type or Print Name